

Order

**Michigan Supreme Court
Lansing, Michigan**

September 22, 2008

Clifford W. Taylor,
Chief Justice

136693

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 136693
COA: 267238
Livingston CC: 05-014970-FH

GARY STEVEN UPHAUS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 11, 2008 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 22, 2008

Corbin R. Davis

Clerk